

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

MICHELLE DAWN MURPHY,

Plaintiff,

vs.

THE CITY OF TULSA,

Defendant.

Case No. 15-CV-528-GKF-FHM

OPINION AND ORDER

Plaintiff's Motion to Compel Answers to Interrogatories, [Dkt. 128], and Plaintiff's Unopposed Motion for Hearing on Motion to Compel Answers to Interrogatories, [Dkt. 150], are before the undersigned United States Magistrate Judge for decision.

Plaintiff seeks an order compelling answers to Interrogatories No. 9, 10, and 12. Interrogatory No. 9 asks the City of Tulsa (City) to rate the investigation performed by Mike Cook into the murder of Travis Wood, on a scale of 1 to 10. Interrogatory No. 10 asks the City to rate the credibility of witness William Lee on the same scale. Interrogatory No. 12 asks the City to identify all factors which make William Lee's testimony about the events of the early morning of September 12, 1994 not credible.

The City objects to Interrogatories No. 9 and 10 on the basis that the information is not relevant to the Plaintiff's claim or the City's defense and the interrogatories are ambiguous and unintelligible as to the "scale of 1-10." The City objects to Interrogatory No. 12 as not relevant, vague, ambiguous, and unintelligible as to "factors." The City further asserts that the burden of responding to the interrogatories outweighs the likely benefit.

The court finds that Plaintiff's 1-10 rating scale is so vague, ambiguous, and subjective that no meaningful information would be obtained from any response to the

interrogatories. There is no objective criteria to give any meaning to any possible rating, so any response would become the subject of endless debate and uncertainty, which would distract the focus from the matters at issue in the case. The same is true for identifying "factors" that make a witness's testimony not credible.

Conclusion

Plaintiff's Motion to Compel Answers to Interrogatories, [Dkt. 128], and Plaintiff's Unopposed Motion for Hearing on Motion to Compel Answers to Interrogatories, [Dkt. 150], are DENIED.

SO ORDERED this 6th day of July, 2017.

Frank H. McCarthy
FRANK H. McCARTHY 
UNITED STATES MAGISTRATE JUDGE